

ROAD BOARD OF THREE ASKED

MARICOPA COUNTY COMMERCE CLUB BUTTS INTO RAIL-ROAD AFFAIR

BILL PROVIDES ONLY TWO MEMBERS MAY BE FROM ONE POLITICAL PARTY.

TWO MEMORIALS INTRODUCED

GOVERNOR KIRBBY HOME SAYS STATEHOOD SURE THING AT THIS SESSION.

Special to Silver Belt.

PHOENIX, February 8.—A bill framed by the Maricopa County Commerce club, providing for the creation of an Arizona railway commission of three members, no more than two of the same political faith, was introduced in the house this afternoon by De Sousa, passed to second reading and referred to the committee on corporations.

A measure by Merrill provides that when constable fees exceed \$330 for a quarter he shall receive only a third of the additional fees of that quarter, and justices of the peace one-third of additional fees over \$200. No fees to be paid the sheriff's office in misdemeanor cases before justice courts.

The council bill by Goodrich abolishes road overseers, and creates the office of county superintendent of roads at salaries of \$1800 per annum for counties of the first class, down to \$500 for the lesser classes; allows a levy of 25 cents for road purposes. The Goodrich bill relating to the disposition of money deposited with district courts and provides that the amount due creditors of estates and receiverships not found shall be turned over to the treasury of the county for safe keeping instead of banks.

Two memorials were introduced in the council this morning by Breen, one to Congress asking passage of a bill giving a right of way along the Grand Canyon to the scenic railway and another to the secretary of the interior asking withdrawal of allotments to Indians in the basin lands west of the Little Colorado river, where there is conflict between the Indians and stockmen grazing stock.

A bill by Norton provides salaries for constables in districts of over eight hundred voters at \$1200 per annum.

A bill by Morgan arising out of the Noble building litigation is an amendment to the present law for priority liens for the protection of subcontractors and smaller lien holders.

The Morgan personal liability law passed by a vote of ten to two, Hunt and Goodrich against the bill.

The following bills were tabled indefinitely. The DeSousa law regarding stenographers before grand juries; the O'Neill bill to prevent the sale of merchandise in bulk without ten days' notice for the protection of wholesalers, and the Hampton bill providing that a company developing percolating water shall have priority rights.

Governor Kirby is confident of statehood for Arizona at the short session, according to a statement made on his return to Phoenix yesterday. The objections filed with the senate committee on territories to his confirmation have not been considered. He is not worrying over the matter and had nothing to say regarding the repeal of the merger and public examiner offices. He will have nothing to say to the legislature.

MINING CONGRESS GOES TO GOLDFIELD CAMP

LOS ANGELES, February 8.—The meeting of the American Mining Congress for 1909 will be held in Goldfield, official announcement to this effect having been made by Secretary James S. McLaughlin, Jr. The selection was made without a hard fight by Douglas, Arizona, and it was thought by many that it would go to Douglas. Goldfield was chosen in the face of a cash offer of \$10,000 by Douglas, and \$7,500 by Phoenix, as many members of the congress desired to meet in the Nevada camp, which is so very much in the sunlight.

IGNORING TREATIES

RUSSIAN AUTHORITIES DISPLAY PERNICIOUS ACTIVITY AT MUKDEN.

PEKIN, February 8.—Foreign residents of Harbin are alarmed at the activity shown there by Russia during the past fortnight in installing the municipal administration, hitherto held in abeyance, and in overhauling the Chinese authorities, collecting heavy taxes and exercising severe police measures. It is further reported that the Russian authorities are ignoring the treaty rights of other nations and the viceroyalty at Mukden is considerably excited over the situation.

EXTRADITION FAILS TO APPEAR FOR RUBERTO

LETTER FROM ITALIAN CONSUL GENERAL OFFERS FURTHER EVIDENCE.

Nothing was seen last night of a governor's warrant for the extradition of Alessandro Ruberto, and there was some talk of a letter from the Italian consul general at Denver, conveying congratulations on the arrest of Ruberto and offering to give additional proof of his guilt if desired. The letter follows:

"Denver, Colo., February 4. 'Globe, Ariz.,"

"Dear Sir: I see from the papers that an Italian named Alessandro Ruberto has been arrested by you on Friday last on the charge of grand larceny. 'While I congratulate you for this arrest, which I hope will put an end to the long chain of swindles done all around the United States by this scoundrel at the expense of many Italian business men, I earnestly recommend you not to let him escape this time the punishment that he deserves, and beg to offer you my hearty co-operation in securing evidence against Ruberto. 'During the last few weeks this scoundrel has received complaint from different places included in my jurisdiction, and if you need any more evidence to punish the man, I will be glad to send you all statements and facts in my possession against him. 'I will be very pleased to hear from you soon in this matter, and remain, 'Very truly yours, 'A. ROSSI, 'Royal Consul General of Italy."

It was intimated yesterday that United States District Attorney Alexander might have interfered in the matter, protesting against the honoring of the requisition of the Tennessee governor, and the intimation was made in such broad terms as to convey the impression that Alexander had been urgently requested to use his best efforts to prevent the issuance of a governor's warrant.

"What will be done with Ruberto if the requisition is not honored?" was asked of Attorney Flannigan yesterday.

"He will be held here to be indicted by the federal grand jury and will be tried here."

Nevertheless, Ruberto has experienced a complete change of heart since the government offered him a plea of guilty carrying more than two years' imprisonment, and the Italian is now almost as anxious to go to Memphis as he formerly objected to any destination other than New York. In the meanwhile, it is "up to Phoenix," as the phrase goes, and nothing will be done by either side without advice from the capital. If word from there was received last night, it could not be learned, although it was ascertained that the requisition had failed to materialize.

Ruberto is making the best of his surroundings. He is no longer the dapper, portly little fellow with the haughty look. The uncertainty and confinement of the last ten days has made him haggard and careless in his attire, but Ruberto's voice and manner are still the same. His easy, confidential tone and injured air would almost tempt one to believe him the victim

of a cruel persecution. Like all of his countrymen, he is fond of fruit, and, scorned the prison fare, he will make a hearty meal on a loaf of bread, apples, bananas and oranges, provided at his own expense, for he still has money.

"You see, I am a Catholic," said Ruberto when opening his trunk before the officers at the Kinney house as he showed a number of pictures of the crucified cross. "But then," he added, "religion is not to be relied upon in judging a man's character. There are good and bad men in all religions."

Last Sunday, amidst the dark grey surroundings of the county jail, it was the Salvation Army that appealed most to Ruberto. He joined in the services with fervor and led in the singing.

Florence Company a Fake.

An investigation conducted at New York has revealed the fact that the Florence Distilling company of Louisville, Ky., formerly of Jersey City, and until Deputy Marshal Cochran of Globe butted in, doing business at 11 Broadway, is a fake, pure and simple. That is, the company "was" a fraudulent concern. The Florence Distilling company is no longer in business.

The company's offices at No. 11 Broadway consisted of one room, and when Ruberto was out of town, the clerical force "numbered" one girl stenographer, whose business was to work the New York end of the business he created. It was from this stenographer apparently, that Ruberto, when first arrested here, obtained a telegram stating that he was the bonafide representative of a legitimate business house, and it was the Florence Distilling company which sent him money to fight his case.

SLAYER JUSTIFIED

SO SAY FRIENDS OF CRADLEBAUGH, WHO KILLED MAN ON DENVER STREETS.

WALLACE, Idaho, February 8.—Asking the court to deal with mercy toward John H. Cradlebaugh of Wallace, who shot and killed Fred Walton, also of Wallace, on the streets of Denver, Colo., last week, members of the city council, county officials and local business men signed a lengthy petition which will be addressed to the prosecuting attorney of Denver.

After giving the history of affairs leading up to the killing and speaking in terms of praise of Cradlebaugh, his steady habits and devotion to his family, the petition declares that Cradlebaugh did only what "any other man would have done under the circumstances in trying to right the wrongs done him in breaking up his home and family."

MISSING MINING MAN WILL SOON TELL HIS STORY

T. A. COX, IN TACOMA HOSPITAL, IS YET TOO WEAK TO TALK MUCH.

PHILADELPHIA, February 8.—The forthcoming production of "Salome" at Oscar Hammerstein's Philadelphia opera house Thursday night, with Miss Mary Garden in the title role, has aroused the opposition of the clergy of Philadelphia. Several ministerial bodies adopted resolutions of protest today.

The house was sold out five hours after the ticket office opened.

PHILADELPHIA PARSONS OBJECT TO "SALOME"

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SHERIFF ATTACKED BY MOB OF NEGROES

HOUSTON, Texas, February 8.—A mob of negroes attacked Sheriff I. M. Hoff at Humble today and he narrowly escaped death. He was knocked down and fired at fifteen times. Hoff escaped by cutting his way through the mob with a knife. He went to Humble to arrest a negro charged with murder.

A serious race riot is feared.

BLANCHE WALSH ILL OF ENLARGEMENT OF LIVER

KANSAS CITY, February 8.—Miss Blanche Walsh, the actress, who was brought here from Fort Smith, Ark., today and placed in University hospital, will resume her theatrical tour the last day of this month, according to a statement issued tonight by her manager.

Miss Walsh's complaint, the physicians say, is enlarged liver, but her condition is not considered critical.

AFTER THE GAMBLERS.

CARSON, Nev., February 8.—The anti-race track gambling bill was introduced in the assembly today. A hard fight for and against its passage is being made.

PIONEER DEAD.

BELLINGHAM, Wash., February 8.—Augustus Griffin, four times a millionaire, and four times bankrupt, a pioneer of Whatcom county, died here today, aged 87 years.

BACK TO THE WOODS

SO SAYS TEDDY WHEN KIRBBY COMES A-COURTING TO WASHINGTON.

WASHINGTON, February 8.—It was rumored here today that the president intimated strongly to Governor Kirby of Arizona that he would do very well to go home and look after his affairs of state. Kirby has been here for some time seeking to be confirmed by the senate and urging action on the statehood bill. It has been said that his advocacy is not helping matters.

CAN'T RAISE RATES WITHOUT CONSENT OF OFFICIALS

INTERSTATE COMMERCE COMMISSION MUST SANCTION ALL SUCH INCREASES.

WASHINGTON, D. C., February 8.—Railroad companies must show that changes in rates or rules and regulations proposed by them are just and reasonable before being able to put such changes in effect, if the bill which has been introduced by Representative Needham of California is enacted into law.

The bill amends the act to regulate commerce so as to give the shippers every opportunity to receive fair treatment with regard to increases in rates. By its provisions the interstate commerce commission at its discretion may issue an order continuing the existing rates and rules, whenever changes are proposed, until a hearing has been held and a decision rendered by the commission. It gives shippers the right to file a protest against any proposed changes within thirty days after the notice of such change.

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PROMINENT TUCSON RESIDENT DOES NOT KNOW NAME OF SHIP ON WHICH HE SPENT SO MANY WEEKS.

TACOMA, February 8.—So weak was the condition of T. A. Cox, general manager of the Arizona & Pittsburgh Mining & Smelting company of Tucson, Ariz., today, that visitors and reporters were denied admission to his rooms at St. Joseph's hospital. It is said he hopes to receive visitors in a few days.

While there is said to be an air of mystery about his experiences, he is said to speak like a man who is holding back a story of great wrong done by men.

Asked last night if he would give the name of the ship on which he had been so long, he replied that he did not know the ship's name.

That the ship will land at San Francisco again, was all he would say.

"If my friends and the public have been able to wait several weeks to learn the details of my disappearance, they can wait another day," he said.

He complained of having a bruised back, legs and shoulders, and declared he had lost twenty pounds in weight since falling into the hands of his abductors.

POET CHOKES TO DEATH.

SHERIDAN, Wyo., February 8.—Henry F. Hilton, the Deadwood poet, was choked to death here last night while eating beefsteak. Hilton gained some fame several years ago from writing a poem on the ill-fated Maine, for which he received a cash prize from the government.

WEATHER BULLETIN.

WASHINGTON, D. C., February 8.—Forecast for Arizona. Fair Tuesday and Wednesday.

STATE AND NATION AT WAR OVER JAPANESE

CALIFORNIANS DON'T STAND IN WITH TEDDY

REPRESENTATIVES IN WASHINGTON WANT JAPS KEPT OUT OF THE STATE.

DISCUSS PRESIDENT'S LETTER CLAIM LARGE NUMBERS OF ASIATICS ARE ENTERING THE STATES OVER BORDERS.

WASHINGTON, D. C., February 8.—"The policy of the administration is to combine the maximum of efficiency in achieving the real object which the people of the Pacific slope have at heart, with the minimum friction and trouble, while misguided men who advocate such action as this against which I protest are following a policy which combines the very minimum of efficiency with the maximum of insult, and which, while totally failing to achieve any real result for good, yet might accomplish an infinity of harm."

In this language, President Roosevelt in a long telegram to Speaker Stanton of the California assembly, set forth today the government's view of the Japanese school bill.

The president states that the bill gives just cause for irritation, and that the government would be obliged to immediately take action in the federal courts to test such legislation, because it is held to be clearly a violation of treaty obligations of the United States.

The telegram to Speaker Stanton was sent after a conference with Senator Flint and Representative Kahn of California, and Franklin K. Lane, interstate commerce commissioner.

In the letter the president also said, "I trust there will be no misunderstanding of the federal government's attitude. We are zealously endeavoring to guard the interests of California and the entire west in accordance with the desires of our western people. By friendly agreement with Japan we are now carrying out a policy which, while meeting the interests and desires of the Pacific slope, is yet compatible not merely with mutual self-respect, but with mutual esteem and admiration between Americans and Japanese."

"The Japanese government is loyally and in good faith doing its part to carry out this policy, precisely as the American government is doing. The policy aims at mutuality of obligation and behavior."

"In accordance with it, the purpose is that the Japanese shall come here exactly as Americans go to Japan, which is in effect that travelers, students, persons engaged in international business, men who sojourn for pleasure or study, and the like, shall have freest access from one country to another and shall be sure of the best treatment, but that there shall be no settlement in mass by people of either country in the other."

"During the last six months under this policy, more Japanese have left the country than have come in, and the total number in the United States has diminished by over 2,000. These figures are absolutely accurate and need not be impeached."

"But such a bill as this school bill accomplishes literally nothing whatever in the line of the object aimed at and gives just and grave cause for irritation; while in addition the United States government would be obliged immediately to take action in federal courts to test such legislation, as we hold it to be clearly a violation of the treaty."

"The legislation would accomplish nothing beneficial and would certainly cause some mischief, and might cause some very grave mischief."

PROTEST AGAINST RESOLUTION

Friends of the President and Japanese Worry Committee Handling Anti-Jap Resolution.

SALEM, Ore., February 8.—Vigorous protests are coming to the senate resolutions committee against Senator Bailey's resolution memorializing congress to extend the Chinese exclusion act to include all Asiatics. These protests are coming principally from personal

friends of President Roosevelt in Portland and from the Japanese vice consul at Portland.

Those opposing the resolution are urging that the Japanese be exempted from its sweeping privileges. The resolutions committee has not taken action and is waiting to hear from all sides.

WILL DIE A NATURAL DEATH

Nevada Anti-Asiatic Resolutions Will Slumber in Committee Until the End of Time.

CARSON, Nev., February 8.—In the Nevada legislature this morning, the assembly bill prohibiting Chinese and Japanese from acquiring lands or acting as corporation agents came to the senate. This body, instead of referring the measure to the federal relations committee, as was done in the assembly, placed it in the hands of the judiciary, along with the anti-Jap resolution. Either the bills will sleep in this committee or be reported unfavorably.

WOULD PASS IT UP TO QUALIFIED VOTERS

REFERENDUM ASKED TO DECIDE PEOPLE'S WISH IN ANTI-JAP QUESTION.

SACRAMENTO, Cal., February 8.—The senate decided this morning to postpone until Thursday any discussion of the report of the committee on the executive communication regarding anti-Japanese legislation.

Marc Anthony of San Francisco attempted to precipitate debate, but failed.

The committee on labor, capital and immigration reported favorably on the bill by Anthony providing that thirty days prior to the state general election of November, 1910, the governor shall issue a proclamation calling upon the qualified electors to "signify their will as to the continuance or prohibition of Asiatic immigration."

Senator J. B. Sanford, a democrat, injected a new anti-Japanese measure into the senate controversy today by the introduction of a resolution calling upon congress to include the Japanese in the provisions of the Geary act excluding Chinese.

IN NEW YORK SENATE.

ALBANY, N. Y., February 8.—That the anti-Japanese legislation in California is inevitable and California's grievance, if any, should be submitted to the state department at Washington, was the substance of a resolution introduced tonight by Assemblyman Charles N. Stein of New York.

The resolution went over under rules until next week.

TARGET PRACTICE OFF LOWER CALIFORNIA

WASHINGTON, February 8.—Magdalena bay, in Lower California, will see another period of extraordinary activity in April, when the first three divisions of the Pacific fleet and vessels of three flotillas of the Pacific torpedo fleet will arrive there to engage in spring target practice. Under Rear Admiral Swineburne's command there will assemble two dozen ships.

ANOTHER VETO MESSAGE FROM THE PRESIDENT

WASHINGTON, D. C., February 8.—President Roosevelt today sent another veto message to the house. With it he returned without approval a bill that would advance in rank Lieutenant Commander Kenneth McAlpine of the navy. The message quotes the report of the secretary of the navy regarding the bill, which states that the officer left the service on July 17, 1903, as the result of his indulgence in liquor, and that he was returned to service by the act of March 2, 1905.

TRIAL OF COFFEY REALLY STARTS AT LAST

FORMER SAN FRANCISCO SUPERVISOR BEING EXAMINED FOR BRIBERY.

NOT GUILTY IS PLEA STATED

TWO BROTHERS ARE COUNSEL ON OPPOSING SIDES OF FAMOUS CASE.

SAN FRANCISCO, February 8.—The actual trial of former Supervisor Coffey for bribery began today. In his statement, Assistant District Attorney Cook retold the story of the alleged bribes and asserted that Coffey received from former Supervisor Gallagher, who acted as go-between, \$2,000 in August, 1906, and left the next day for the east, being paid as a second installment a similar sum on his return a month later.

Former Supervisor Judge Carroll Cook, who with Robert Fairall and Franklin P. Bull represents the defendant, offered in evidence a contract given to Coffey when he made his confession of guilt, which he since has repudiated, and moved the jury be instructed to acquit the accused. Assistant District Attorney Cook, his brother, replied that it had been settled that immunity was not recognized by California law and the contract would have to be offered under the plea of "once in jeopardy" or a plea of "not guilty."

Judge Dunne overruled the motion and Clerk Behan of the former board of supervisors was called to prove that Coffey was a member at the time of the alleged bribe. The defendant's daughter sat by his side during the session.

JURY BOX NEARLY FULL

SAN FRANCISCO, February 8.—After four weeks of effort, eleven citizens have qualified to try Calhoun. Frederick G. Wulzen, the eleventh juror, was added to the panel late today, and it is believed the box will be filled during the week, after which the first pre-emptory challenge will be used.

The tenth special venire of sixty citizens has been ordered for next Wednesday.

ARRESTED CHARGED WITH STEALING FROM LO

OKLAHOMA INDIAN AGENT MADE FALSE VOUCHERS TO CONCEAL PECULATIONS.

GUTHRIE, Okla., February 8.—Samuel McGowan of De Graff, Kan., one of the best known Indian authorities in the country, was arrested here today on a federal grand jury indictment charging him with embezzlement and misappropriation of federal funds while superintendent of the Indian school at Chillicothe, Okla., from 1904 to 1908. He was released on bond.

The indictments, which were returned on Friday last, consist of nine counts of alleged embezzlement and five of making false vouchers. The charges are that McGowan converted money belonging to the Indians to his own use and also took grain and livestock and that he made false vouchers, thereby securing money from the United States sub-treasury at St. Louis. There is an alleged shortage of \$1500 and the indictments intimate that an additional sum was wrongfully secured.

McGowan was president of the Indian exhibit at the Louisiana Purchase exhibition at St. Louis, and at the time of his arrest was preparing to go to Seattle to take charge of a similar exhibit during the approaching fair.

QUALTROUGH SUCCEEDED.

WASHINGTON, D. C., February 8.—T. M. Potts, on duty at Washington navy yard, has been selected to command the battleship Georgia, succeeding Captain Edward F. Qualtrough, suspended from duty following trial by court-martial at Gibraltar.

ON THE WAY HOME.

FUNCHAL, Madeira Islands, February 8.—The American battleship fleet, which sailed from Gibraltar Saturday, was reported by wireless today as having covered about six hundred miles of the homeward journey.